

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ELNORA CARTHAN, *et al.*,

Plaintiffs,

Case No. 5:16-cv-10444

v.

Hon. Judith E. Levy

GOVERNOR RICK SNYDER, *et al.*,

Mag. Mona K. Majzoub

Defendants.

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**MDEQ EMPLOYEE DEFENDANTS' CONCURRENCE IN MOTION OF  
DEFENDANTS VEOLIA NORTH AMERICA, LLC, VEOLIA NORTH  
AMERICA, INC., AND VEOLIA WATER NORTH AMERICA  
OPERATING SERVICES, LLC TO STRIKE THE PROPOSED CLASSES**

Defendants Patrick Cook, Michael Prysby, Adam Rosenthal, Stephen Busch, Liane Shekter Smith, and Bradley Wurfel ("MDEQ Employee Defendants") hereby concur and join in the Motion of Defendants Veolia North America, LLC, Veolia North America, Inc., and Veolia Water North America Operating Services, LLC to Strike the Proposed Class (Doc. # 914) ("Motion to Strike"). For the same reasons set forth in Sections I(A)(1) and II of the Motion to Strike, MDEQ Employee Defendants respectfully request that this Court strike the proposed classes because they are legally impermissible fail-safe classes.

Respectfully submitted,

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Adam Rosenthal, and Michael Prysby

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Dated: August 9, 2019

**CERTIFICATE OF SERVICE**

I hereby certify that on August 9, 2019, I electronically filed the above with the Clerk of Court using the CM/ECF System, which will provide electronic copies to counsel of record.

*s/ Christopher B. Clare*